DOCUMENT/IMAGE PROCESSING
ORANGE COUNTY SUPERIOR COURT
SANTA ANA, CALIFORNIA

by

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Summary

In 1989, the Orange County Superior Court, in cooperation with the Orange County Board of Supervisors, undertook a $1.3 million pilot project to implement a document image processing system. The probate department was selected for the initial pilot project so that the complexity of probate document processing could test the parameters of this new technology in the court environment. Goals of the project included reducing delay by making court documents available for review and processing within minutes of receipt, permitting simultaneous access by multiple users in multiple locations, and eliminating the problems caused by lost documents and files. An additional goal was to improve service to the public, the bar, and other public and private sector organizations that rely on court information. The document imaging system implemented in the probate department has eliminated most of the paper handling that consumed so many hours of staff time. The system provides automated routing of work to appropriate staff including judges, commissioners, probate attorneys, probate examiners, court clerks, and other personnel. The document imaging system is fully integrated with the case management system and permits electronic access to both systems by each user. Use of the document image system in a "paperless" environment provides better security of court records and keeps the paper files and documents in better condition because fewer people require access and because the document images on optical disk are in a WORM (write one/read many) environment. It also facilitates the following: viewing or printing of any public document; expediting the judicial review process with all pertinent information available on-line; diminishing continuances; and enhancing the production of statistical reports.

Planning and Procurement

Orange County, as a result of numerous requests for imaging systems from agencies within the county, elected to have the county's data systems division study the various agency requests and make a recommendation for a pilot imaging project that would test the parameters of imaging technology. The Probate Department of the Orange County Superior Court/County Clerk Department was selected to conduct a pilot project to evaluate imaging technology. The probate department was selected from all the county proposals because it presented several challenges. It had the most complex environment in terms of integrating an imaging system with a database system due to extensive handling and processing of documents and case file information, as well as product production. The court executive officer lobbied heavily and negotiated $1.3 million for this pilot project that promised to benefit both the county and the court. A *Request for Proposal* was distributed to imaging vendors. Five vendors submitted proposals. The selection committee evaluated each response, using factors and weights they developed, and conducted site visits of existing applications. FileNet was chosen as project vendor. The original FileNet proposal offered a system at a cost of $1,745,364. Through negotiations, the superior court, the County of Orange and FileNet reached a final fixed price "partnership" agreement of $1,136,936. The board of supervisors approved the agreement with FileNet in June, 1990, authorizing $1.3 million for the total project cost, including conversion, and $320,000 in annual maintenance costs. This would serve as a pilot program for image systems within the county as well as for future systems within the court. The State Justice Institute

recognized this system as a national pilot project by providing a grant to conduct an evaluation study which was subsequently published by the National Center for State Courts. The court received the California Judicial Council's 1993 Ralph N. Kleps Award for the successful implementation of this innovative use of imaging technology integrated with a case management system in a large general jurisdiction court. The court has recently been advised that it will be receiving the NACM's Justice Achievement Award for this project at the NACM Annual Conference in July, 1994.

The entrepreneurial approach used by the court consisted of negotiating a public-private partnership with FileNet Corporation that included a fixed price contract and shared development costs for the system. This approach resulted in a win-win situation for both parties in that FileNet could use this application development for other jurisdictions, and the court was able to implement imaging and reduce development costs. To sell the county's funding sources on the project, the court concentrated on the long term pay-off of better access, reduced long-term costs, and client satisfaction rather than focusing on a short-term cost benefit analysis.

Project Management Structure

The management structure consisted of the project manager, supervised by the superior court executive officer, and several committees. The selection committee chose the vendor. The steering committee provided high-level guidance, direction, policy making, and conflict resolution.

The working/technical support committee worked directly with FileNet throughout the design and implementation of the project. The role of the advisory committee for the State Justice Institute evaluation was to provide oversight and guidance to the project, to ensure that it achieved its goals and objectives, to assist the National Center for State Courts' evaluation team in defining evaluation criteria, to review and make recommendations on the evaluation methodology, to address issues of interest and importance to other courts and states considering the adoption of this technology, and to review and make recommendations on the final report, which was completed in December, 1993.

System Development

The agreement with FileNet included various milestones considered critical for project success. First, system support training, completed in September, 1990, consisted of training two members of the technical staff in the operation of equipment, including system administration and WorkFlo programming. Site preparation tasks, also completed in September, 1990, involved fiber optic cable installation, telephone line placement, power outlet modifications, and air conditioning adjustments in the main courthouse in Santa Ana. The functional requirements for the project were developed after months of user interviews, surveys, committee meetings, and technical staff review. During the final walk-through, problems with the interface between the imaging system and the Clerk II probate case management system were discovered. The imaging system was designed with the Clerk II probate case management system in order to establish linkage between the two. This provided additional challenges for

project implementation but resulted in a very effective and efficient system overall. In May, 1991, the final version of the functional requirements was completed.

The Orange County Superior Court formed a partnership between user management, court systems staff, and the vendor. The court tried to avoid the mistake of relying solely on technical staff to create the system. Users understand the practical aspects of their work, how things happen on a daily basis, and which transactions have priority. Looking at new ways to perform the work must include the users. It provides an opportunity for them to understand how goals will be achieved and to assume ownership for increased productivity through technological advances. It is essential that the end user be empowered to participate actively in the evaluation, selection, development and implementation processes. Users in the court were exposed to imaging technology basics so that they could be involved in reengineering court processes to take full advantage of the integrated document imaging system. All users, including judicial officers, were involved in system development. Users considered how workflows could be modified, steps eliminated, capability added, rules changed, etc. This maximized Orange County's return and improved employee morale.

Conversion

Before the imaging system could be operational, it was necessary to scan and index over 850,000 pages of documents. These pages represented active or recently completed cases that needed to be available electronically. An eight-person conversion team from the Orange County Clerk's Office was assigned to the imaging conversion effort, which began in September, 1990, and continued through August, 1991. A consultant assisted the clerk's office in the conversion effort. As of August, 1991, all papers received by the clerk's office for filing were scanned and indexed.

Application Development

After approval of the functional requirements in May, 1991, work began on programming the system. Scripts (programs) were written and tested by FileNet staff. Initial acceptance testing was performed in October, 1991, and finally completed in January, 1992.

Implementation

Two pilot probate calendars began operation in January, 1992, but most of the Clerk II system outputs were not available. Gradually, the remaining calendars were added to the system. Due to product unavailability, the old and new systems were operated in a parallel mode which was proved extremely time consuming. To accommodate this additional work and to allow the gradual phasing in of the imaging system, the court eliminated some calendars and limited the number of matters on others. Running in a parallel mode also had some benefits. Users gradually became familiar with the imaging system, and programming errors were identified and corrected without impacting products. In July, 1992, the probate court was fully operational and all system outputs from the case management system were available. The court moved to a new facility in September, 1992, a move that went smoothly. The mediation and

investigative services group also began using the system at that time. The only task not currently completed is the placement of public access terminals, which is scheduled to be implemented before the end of the year.

User Training

The training plan was designed to train end users in segments, depending on when they were going to use the imaging system and what they needed to know in order to perform their jobs. Users were trained in short modules, with opportunity to practice what they learned on the system before progressing to more advanced training modules. Indexers and scanners were trained when system conversion was implemented. The counter staff were trained in January, 1992, when the imaging system began operation. Probate examiners were trained as their calendars were added. Users were allowed to become comfortable with their use of the system before moving on to the next level. This reduced employee anxiety and stress commonly associated with implementation of automated systems. Final user training was completed on February 26, 1992. Ongoing training in areas such as advanced word processing, and use of the mouse and database is scheduled as needed.

Filing Documents

The probate division of the clerk's office is responsible for the filing and management of case files and papers. Newly filed documents are scanned, committed to optical disk, and automatically routed to data entry operators for indexing. Then they are circulated to staff attorneys, examiners, checkers, judicial officers, and investigators to review for appropriate action. When a document is first scanned, it is stored on magnetic disk. After the quality of the image is verified, it is committed to optical disk, which is a more permanent and secure medium. Integrated imaging and case management systems allow data collected for other purposes to serve as an index to the scanned document. In the Orange County system, the case management and imaging systems reside on separate computers, but function as an integrated system because of complicated hardware and software linkages between the machines.

In the old system, files were pulled by a clerk and placed in one of 33 large bins. A separate bin was used for each calendar, and was rolled from place to place as the calendar was prepared for hearing. As a consequence of this labor-intensive and time-consuming effort, documents and files were periodically unavailable. Some were misfiled or lost. At the conclusion of the calendar, each of the files had to be placed back on the shelves in the clerk's office.

With the imaging system, files remain on the shelf. Images of the documents in a case file are routed electronically to the appropriate locations. Files are always available, never require sorting, and are almost never lost, damaged, unavailable, or misplaced.

In the old system, entries were made in the electronic register of actions immediately after a document was filed, but it often took a number of days for the paper to be placed in the case file. In the new system, it takes a little longer for the filing to show on the

computer (roughly half a day), but the electronic copy of the document is available at the same time.

Probate Operations Before Imaging

Historically, the probate department was slow, inefficient, labor-dependent and limited in its ability to produce court documents and court products in a timely manner. All documents and preparation for probate court hearings were handled manually. Eight probate examiners were responsible for reviewing all matters set on calendars. There were 11 calendars per week consisting of approximately 300 matters. All files for each calendar were pulled and placed in a calendar bin. Three weeks prior to hearing, the calendar bin was delivered to the examiner. At any one time, three weeks' worth of case files on calendars were in 33 carts being rolled from unit to unit until the calendar was completed, orders signed, and files returned to the shelves in the clerk's office. (See exhibit A for routing of calendar bins.) The examiners' tasks include reviewing the case file in relation to the matters before the court and any subsequent documents related to the pending hearing, and completing a worksheet by hand. After an examiner completed worksheets and reviewed all cases on a calendar, the calendar bin would be rolled to the input operator. The input operator entered data from the worksheets into a case tracking database that generated notices to attorneys and prepared preliminary and final calendars for use by judicial officers. The notices to attorneys consisted of deficiencies to be corrected prior to the matter being approved. Attorney notices and court calendars were printed at preset times in a batch process. Attorney notices were mailed eight days prior to hearing. Depending on how quickly the mail was delivered, attorneys did not always have adequate time to address and file the required information two days prior to the hearing. The printed paper calendars include attorney notices as well as notes to the court regarding required court findings and summary of relevant case facts. The preliminary calendar was printed eight days prior to hearing. The examiners could not respond to questions about matters on calendar until the preliminary calendar was available for review.

Probate court case processing is organized like a pyramid. Everything that can be resolved by a nonattorney probate examiner is handled at that level. The examiners have discretion to recommend matters for approval within certain guidelines. If there is no opposition, a judicial officer would not review a matter recommended for approval. The final calendar was printed three days prior to the hearing. Examiners would make handwritten modifications to notes on the final calendar was based on subsequent documents received after the final calendar printed.

After an examiner's review, and prior to the hearing, the judicial officer reviews the final calendar and the case files on any matters that are unresolved or contested. The judicial officer would make handwritten notes on the calendar. A calendar had roughly 55 matters, including 30 new cases. Seventeen to 25 continuances were normally granted.. As a result of short time frames and deadlines, judicial officers and court staff were unable to properly assess, correct, and resolve cases in a timely manner. Calendars increased due to many continued matters. It took two full-time judicial officers to prepare and hear the 11 calendars per week. The judicial officers would hear contested matters with time estimates of less than one hour and usually no more

than one or two hearings per week. All trials and contested matters in excess of one hour were sent to master calendar for assignment to a general civil department.

Probate Operations After Imaging

It was anticipated that the image processing system would result in a more efficient court process due to quick retrieval of electronically stored documents, elimination of lost or misfiled documents, multiple user access to individual files, automatic routing of documents, and the capability to access both case file and case tracking information. The 33 calendar bins full of files are gone. After the documents are scanned and indexed, they are automatically routed to the appropriate staff. What was not foreseen was our effective utilization of judicial and staff time. The imaging system maximizes the use of pyramid processing by allowing work to be assigned to the appropriate level of staff and documents to be processed as received.

In the probate department before imaging, the judicial officers were doing attorney-level work, probate court staff attorneys were performing paralegal-level work, examiners were working at the level of court clerks, and court clerks were performing receptionist and file clerk duties. As a result of the imaging system, we now have the time and ability to reassign work to the appropriate level of staff. We try to resolve issues at the lowest appropriate level of authority, with only matters requiring higher-level decision-making being routed to the next level. As a result of pushing the workload downward, we have made more effective use of judicial time. Now two judicial officers hear all 11 calendars and all probate trials. Between March 1993 and May 1994, the court scheduled 153 trials. Of the 153 scheduled trials, 51 percent settled at various stages and 32 percent were actual trials, for a total 83 percent resolved. (The remainder were continued.) Before the new system, all trials were transferred to another division of the Superior Court.

Depending on the number of probate trials and contested hearings scheduled, one of the judicial officers is available up to two-and-a-half days per week for overflow trials and hearings from family law and juvenile divisions. Cases that require judicial attention receive it, and the court is proactive in managing its caseload resulting in speedier resolution of cases with lower cost to the parties and the court. Now, after implementation of our integrated document imaging/database system, a calendar consists of 31 new matters, with two to five continuances. Most of the continuances are contested matters that are put into our self-contained trial management system. Examiners review and complete electronic worksheets on imaging workstations the day after the matter is filed--five to six weeks prior to hearing, depending on type of calendar in use. After case status is assigned by the examiner, the matter is automatically routed to the appropriate staff's queue. The calendar page for a particular matter may be viewed on the imaging workstation as soon as the review is completed. Attorney notices are now mailed as the examiner review on each matter is completed, with the result that all attorney notices for a particular calendar are mailed no later than four weeks before the scheduled hearing instead of eight days before. This results in cases being resolved sooner because responding parties have more time to collect and prepare information. Documents submitted in response to attorney notes are now reviewed the day after filing rather than two days before the hearing.

This allows time to resolve any new deficiencies that may be created by the subsequent documents. Any cases that are ready for determination but exceed the examiners' level of discretion are assigned the appropriate status code, which results in the matter being electronically routed to the probate attorney's work queue. The probate staff attorney reviews the calendar page and case for each matter within two days of electronic routing and, if the matter is within the attorney's level of discretion, that individual will make a tentative ruling and note justification for the tentative ruling using the on-line calendar. If the matter exceeds the attorney's discretion, the attorney will record a recommendation with supporting analysis on the calendar.

Through the use of the integrated document imaging/database system, workload is identified and controlled. Work is assigned to the appropriate level of staff. Backlog has been eliminated and work is completed as documents are received by staff without any additional staff, and, in some cases, an actual transfer of excess staff to other divisions.

Success with the imaging project results from a number of factors. The manual system was not re-created in the automated system, but staff reengineered the court process to take advantage of the imaging and database technology. Prior to the design, the who, what, and how of each work process was analyzed. Twenty-five worksheets were created in paper form that would be the basis of the electronic examiner worksheets in the new system. Whenever possible electronic forms in lieu of paper forms were created. Items in the old system that were barriers to our effectiveness were identified and addressed in the design of the new system.

Management Operations

The system provides a number of tools to assist in management of case processing in the probate court. The statistical reports are daily reports that show all work by function, worker, calendar, case, and time elapsed, in addition to weekly reports by calendar. Workload reports reflect all calendars for any time period. The report identifies cases, types, number of matters, and work status with date and name of last person working the matter.

Management reports include logs to track ex parte matters, orders, and investigation reports. They also have a management report that reviews cases for required action. If the action has not been completed, it generates a system letter to attorneys, granting them 30 to 60 days for case resolution. If the attorney doesn't resolve it within the stated time frame, the system generates an order to show cause and a citation.

Technical Description

The Orange County Superior Court technical environment is complex. There are many different computers working together to support the database, imaging, scanning, and optical jukebox operations. The FileNet imaging system is a client/server network, which divides tasks between several computers rather than depending on a single powerful machine. This allows the imaging system to grow in incremental steps. There are 16 workstation servers (13 four-port servers and 3 two-port servers) with 57 display

stations. The judge, commissioner, probate staff attorneys, probate examiners, clerk's office, scanning and indexing areas, courtroom, and other offices are equipped by these 57 imaging workstations. A batch entry server, located on the same floor as the probate court, holds approximately eight days of work files for fast access. Documents are stored on magnetic disk to speed access from the workstations for cases needed that day. These images are pre-fetched from the OSAR during the night. Public access kiosk stations are scheduled to be added in the near future. The court also has a PC-based FAX server attached to the FileNet system and can accept documents faxed directly to the computer system, although it has not yet begun to use this link. The other components of the system, the OSAR, the OSAR server, and the root server are located in the computer room on the second floor of the courthouse. This equipment services requests for images or data from users and collects and stores information provided by the scanning and data entry processes. The root server provides data storage for the imaging indexes and connection to the court's Unisys and IBM office automation and database systems.

NCSC's Evaluation Project

Due to the innovative nature of the technology, the State Justice Institute approved an evaluation grant project which was conducted by the National Center for State Courts (NCSC). An important part of NCSC's evaluation report included recommendations on how other courts throughout the country could use document image processing as an innovative records management tool. The NCSC concluded that imaging is an expensive technology that can provide valuable benefits to courts: 1) if properly implemented; 2) if fully integrated with case management systems; 3) if used in conjunction with a good records management program; 4) if accompanied by reengineering of the court work flow; and 5) if supported by realistic funding of equipment, staff, and software.

Imaging speeds the resolution of cases and offers fast, reliable access to court records as compared to manual file retrieval. Public service is greatly enhanced by the ability of court staff to access documents and respond to requests quickly. Further conclusions include: 1) Imaging only works well if the system is completely up-to-date. 2) A sound, thoroughly tested case management system that meets the needs of the court should be in place before attempting to implement imaging. 3) Network architecture is critical to success. 4) Records management issues do not disappear with document imaging. 5) If a court continues to rely on paper, expenditures on an imaging system are probably wasted--a court must be prepared both to use a document in electronic format and receive it in electronic format. 6) Imaging is a retrieval technology, not a data capture or archiving technology.

The National Center for State Courts offered the following specific recommendations for other courts considering imaging technology. 1) Standardized forms should be developed and implemented before an imaging system is installed. 2) Courts should consider carefully the most appropriate location for the scanning and indexing processes. 3) Careful examination and, if necessary, reengineering of paper and work flow, staff locations, and procedures are critical to successfully implementing document imaging. 4) Careful review of transaction volumes and realistic estimates of the length

of time required to perform each task are necessary to project conversion costs. 5) Equipment needs and, therefore, costs will usually be greater than anticipated. 6) The system should be designed so documents can be written to and read from magnetic disk as much as possible.

ICMS--Future of Orange County Superior Court's System's Development Plans

The probate document/image processing system pilot project has been an important element of a comprehensive, five-year plan for the future development of an Integrated Court Management System (ICMS) that incorporates open information systems architecture, creates hardware and software independent from county mainframe applications, builds upon the court's existing investment in software, hardware platforms, and staff resources, and integrates existing and new system elements with applications featuring electronic filing, enhanced data capturing, and improved public access.

The probate document/image processing system will serve as a prototype for the use of imaging technology in the integrated case-tracking/document management systems planned among the court's future development projects. The experience gained in the pilot project will greatly enhance the effectiveness of future applications. For example, as recommended in the NCSC evaluation report, the new case tracking application currently being implemented in the court's family law department is being designed to facilitate integration with imaging and other technologies. This first-phase development project within the ICMS master plan will electronically link major filing entities, such as the district attorney family support division (the largest filer of family law cases and documents) with the system, and utilize Electronic Data Interchange (EDI) techniques to fully integrate electronic filing, electronic forms processing and electronic access to court records. PC-based, user-friendly interfaces from ICMS with attorney offices and for unrepresented litigants (kiosks) is also planned. The court will use a single systems integrator (UNISYS), that will be responsible for networking all of the various vendors/products, user interfaces, and telecommunications requirements.

When ICMS is fully developed, it is contemplated that Orange County Superior Court's courthouse facilities and departments, other justice system agencies (district attorney, public defender, probation, etc.), private attorney offices, and public access terminals will be networked to provide on-line and remote access to court files and documents for all case categories within the court's jurisdiction. Office automation functions (using WordPerfect Office, including electronic mail database, spreadsheet, calendar, and word processing capabilities) will also be fully integrated within the network. ICMS will support judicial workstations (chambers and bench), courtroom support functions (on-line minutes/orders, data entry, noticing, and verbatim recording), electronic library functions (legal research, jury instructions and exhibits using CD-ROM and other technologies), and all of the court's administrative, fiscal, personnel, and operations functions and activities. Linkage to jury management systems and automated systems of other courts, county agencies, and departments that are mutually interdependent will enhance data-sharing to eliminate redundant data entry/data capturing, thereby improving efficiency and lowering operational costs.

Image processing and document/image management concepts will also be utilized to improve archival storage and retrieval capacity. Changes to state records management/records retention laws in California and other states have been sought to begin to gain acceptance and confidence in modern electronic records management, storage, and retrieval techniques. We believe that document/imaging using Worm (write once, read many) optical disk technology will play an important role in the future of court record-keeping. The American Bar Association (ABA) and at least two Judicial Electronic Document and Data Interchange (JEDDI) groups are working to promote national and international standards for electronic signatures and EDI transactions in the legal/justice agency environment. The concept of an electronic "original" document with paper only on demand will be increasingly promoted. The more court-based applications that are developed and implemented, the more affordable the integration of this important technology will become. The probate document/image processing system pilot project has been our method of testing and evaluating the usefulness and practicality of this technology when fully integrated with case management systems. The probate court environment was the most complex and demanding test we could devise and the verdict is in. It works! We challenge the judges, court administrators, court information system's professionals, and vendors to build on this experience and increase the focus on integrating the use of imaging technology. The NCSC report on our project will provide significant insight and guidance to future efforts in this regard and we will be pleased to offer our assistance as we continue implementation of our Integrated Court Management System.

EXHIBIT A: A ROUTING OF CALENDAR BINS

EXAMINATION OF FILES AND DOCUMENTS

FILE CLERK
Receives outcards for calendar
Pulls files and delivers calendar bin with files to appropriate examiner

PROBATE EXAMINER
Receives total files in calendar bin
Completes worksheet for each case
Delivers calendar bin with worksheets to data input

DATA INPUT
Inputs worksheets
Returns calendar bin with preliminary printout to examiner

PROBATE EXAMINER
Reviews supplemental documents received after preliminary calendar is printed
Makes changes to preliminary calendar and worksheet
Gives preliminary calendar to data input

DATA INPUT
Inputs changes from preliminary calendar
Delivers final calendar to probate examiner

PROBATE EXAMINER
Reviews calendar and updates case information regarding any subsequent documents
Delivers final calendar, unapproved files, and worksheets in calendar bin to Judge
Approved and continued files are delivered to probate checker.

JUDGE
Reviews, edits, and approves matters on calendar. May review unapproved files. Delivers calendar changes to Probate Examiner.

PROBATE EXAMINER
Updates final calendar and worksheets with changes. Prepares recorded telephone message about pre-approved matters on calendar for attorneys to access. Pulls approved matters to be delivered to probate checker.

DEPARTMENT 3 CLERK
Calendar bin with unapproved matters delivered to courtroom clerks.

PROBATE CHECKER
Reviews orders and affixes judge's facsimile stamp; delivers files and orders in calendar bin to Dept. 3 clerk.

DEPARTMENT 3 CLERK
Completes minute orders for files in calendar bin.

FILE CLERK
Reshelves files.

ALAN SLATER

Alan Slater is the Executive Officer/Jury Commissioner Clerk of the Superior Court in Orange County, California. He holds a M.P.A. in Judicial Administration and an M.B.A., both from the University of Southern California. Mr. Slater has served as co-chair of the Joint Technology Committee of the National Association for Court Management (NACM) and the Conference of State Court Administrators. He has also represented NACM on the National Judicial Electronic Document and Data Interchange (JEDDI) Committee. He has taught at several universities in Southern California including the School of Public Administration Judicial Administration Program at the University of Southern California.

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She received her B.A. from Indiana University-Bloomington, and her Juris Doctor from Western State University-Fullerton, California. She was admitted to the California Bar in 1982.

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